

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

DANIEL D. NORTH CUTT,)	
)	No. CV-05-0229-MWL
Plaintiff,)	
)	ORDER GRANTING JOINT
v.)	MOTION FOR REMAND
)	
JO ANNE B. BARNHART,)	
Commissioner of Social)	
Security,)	
)	
Defendant.)	

The parties have filed a stipulation for remand of the above captioned case to the Commissioner for further administrative proceedings. (Ct. Rec. 19). The parties have consented to proceed before a magistrate judge. (Ct. Rec. 7). After considering the stipulation,

IT IS ORDERED that the above-captioned case be remanded for further administrative proceedings. Upon remand, the Administrative Law Judge ("ALJ") will: (1) Update the record regarding Plaintiff's impairments; (2) Further evaluate the medical source opinions from John Severinghaus, Ph.D., Eugene Kester, M.D., and Jay Toews, Ph.D.; (3) Document the findings concerning Plaintiff's mental impairments in the decision pursuant to 20 C.F.R. §§ 404.920(a)(e)(2) and 416.920(a)(e)(2);

1 (4) Reassess Plaintiff's residual functional capacity to include
2 all limitations resulting from all severe mental and physical
3 impairments; and (5) Reassess Plaintiff's ability to perform other
4 work at step five.

5 Plaintiff's subsequent application for disability benefits
6 filed on May 14, 2003, will be consolidated with Plaintiff's 2002
7 applications.

8 Accordingly, this Court hereby reverses the Commissioner's
9 decision under sentence four of 42 U.S.C. § 405(g) with a remand
10 of the cause to the Commissioner for further proceedings. See
11 *Melkonyan v. Sullivan*, 501 U.S. 89 (1991).

12 **IT IS FURTHER ORDERED:**

13 1. The parties Joint Motion to Remand (**Ct. Rec. 19**) is
14 **GRANTED**.

15 2. Judgment shall be entered for the **PLAINTIFF**.

16 3. An application for attorney fees may be filed by
17 separate motion.

18 4. The District Court Executive is directed to enter this
19 Order, forward copies to counsel, and thereafter shall **close** this
20 file.

21 DATED this 26th day of January, 2006.

22
23 S/ Michael W. Leavitt
24 MICHAEL W. LEAVITT
25 UNITED STATES MAGISTRATE JUDGE
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